

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS

	)	
In re:	)	Chapter 7, No. 23-40709
	)	
WESTBOROUGH SPE LLC	)	
	)	
Debtor	)	
	)	

**TRUSTEE’S RESPONSE TO ORDER FOR STATUS REPORT  
REGARDING RELEASE OF INFORMATION FOR COMPLIANCE WITH THE  
FINANCIAL CRIMES ENFORCEMENT NETWORK REQUIREMENTS**

NOW comes JONATHAN R. GOLDSMITH, the duly appointed, qualified and acting Trustee (“Trustee”) in the above-captioned case, and hereby files this response to the Court’s Order for a Status Report Regarding Release of Information for Compliance with the Financial Crimes Enforcement Network Requirements (Docket No. 66).

The Trustee submits that he has researched information surrounding the reporting rules implemented by Section 6403 of the Corporate Transparency Act, which under the Financial Crimes Enforcement Network (“FinCEN”) of the U.S. Department of the Treasury requires certain companies to report their beneficial ownership information to FinCEN. Based upon his research thus far, the reporting to FinCEN for the year 2024 can be submitted up until January 1, 2025. The Trustee also received communication from the Executive Office for the United States Trustee (“EOUST”) that it is in discussions with the National Association of Bankruptcy Trustees, which organization is in the process of communicating with the Treasury Department to determine if a Chapter 7 Debtor is a type of entity that is exempt from the reporting requirements. As a result, the EOUST suggested that Chapter 7 Trustees await further clarification before embarking on reporting to FinCEN.

In light of the above, the Trustee requests that he be afforded an opportunity to file an updated status report three months from now at which time he hopes there will be further clarification as to whether FinCEN reporting requirements apply to Chapter 7 Trustees.

JONATHAN R. GOLDSMITH, TRUSTEE IN  
BANKRUPTCY FOR WESTBOROUGH SPE  
LLC

Dated: 2/12/24

By: /s/ Jonathan R. Goldsmith, Esq.  
JONATHAN R. GOLDSMITH, ESQ.  
(BBO No. 548285)  
GOLDSMITH, KATZ & ARGENIO, P.C.  
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**CERTIFICATE OF SERVICE**

I, JONATHAN R. GOLDSMITH, ESQ., of GOLDSMITH, KATZ & ARGENIO, P.C., 1350 Main Street, Suite 1505, Springfield, Massachusetts, do hereby certify that I served a copy of the within Response upon those parties listed below by electronic mail or by mailing, first class mail, postage prepaid, on this 12<sup>th</sup> day of February, 2024:

Richard T. King, Esq.  
OFFICE OF THE U.S. TRUSTEE  
446 Main Street, 14<sup>th</sup> Floor  
Worcester, MA 01608

/s/ Jonathan R. Goldsmith, Esq.  
JONATHAN R. GOLDSMITH, ESQ.